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17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA

19 LESLIE FLAHERTY, ROBERT
20 FOCKLER, DONALD HOUSE, DAVE
21 LOOMIS, ARRON MILLER, TRACI
22 MOORE, MARK RICE, and JAMES
23 SMITH, individually, and on behalf of
24 all others similarly situated,

25 Plaintiffs,

26 v.

27 HYUNDAI MOTOR COMPANY,
28 HYUNDAI MOTOR AMERICA, KIA
MOTORS CORPORATION, and KIA
MOTORS AMERICA, INC.,

Defendants.

No. 8:18-cv-02223

CLASS ACTION

PLAINTIFFS' NOTICE OF
RELATED CASE PURSUANT TO
LOCAL RULE 83-1.3

JURY TRIAL DEMANDED

1 TO THE CLERK OF THE UNITED STATES DISTRICT COURT AND TO
2 DEFENDANTS AND THEIR COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE that pursuant to Local Rule 83-1.3, Plaintiffs,
4 individually and on behalf of all others similarly situated, hereby give notice of a
5 related action pending in the Central District of California. The action is entitled *In re:*
6 *Kia Engine Litigation*, Case No.: 8:17-cv-00838-JLS-JDE, pending before the
7 Honorable Josephine L. Staton.

8 This action and *In re: Kia Engine Litigation*, arise from the same or closely
9 related transactions, happenings, or events and call for determination of similar
10 questions of law and facts. In each complaint, the plaintiffs allege they suffered
11 injuries as a result of Kia's concealment of a dangerous defect in their vehicles'
12 gasoline direct injection ("GDI") engines, making the vehicles prone to catastrophic
13 engine failure and spontaneous fire. The cases allege some, but not all, of the same
14 vehicle models contain this defect, and the above-captioned case includes Hyundai as
15 a defendant, while *In re: Kia Engine Litigation* does not. In each of the actions, the
16 plaintiffs seek damages for violations of (i) the California Consumer Legal Remedies
17 Act (Cal. Civ. Code § 1750, *et seq.*); (ii) California Unfair Competition Laws (Cal.
18 Bus. & Prof. Code § 17200); (iii) California False Advertising Law (Cal. Bus. & Prof.
19 Code §§ 17500, *et seq.*); and (iv) the Song-Beverly Act (Cal. Civ. Code §§ 1792,
20 1791.1, *et seq.*).

21 Specifically, both actions arise from the same or closely related transactions,
22 happenings, or events because in each case Kia is alleged to have concealed the same
23 or similar defect in the GDI engines of certain vehicles. Moreover, both actions call
24 for the determination of the same or substantially related or similar questions of law
25 and fact. The plaintiffs in each matter bring some of the same claims against Kia,
26 including violations of the CLRA, the UCL, California False Advertising Law, and the
27 Song-Beverly Act arising from Kia's omissions and concealment of the GDI engine
28

1 defect. For these reasons, it would be substantial duplication of labor if the two cases
2 were heard by different judges.

3 Accordingly, *Flaherty, et al. v. Hyundai Motor Co., et al.* qualifies for related-
4 case transfer to the Honorable Josephine L. Staton.

5
6 Dated: December 14, 2018

Respectfully submitted by,

7 HAGENS BERMAN SOBOL SHAPIRO LLP

8
9 By: /s/ Christopher R. Pitoun

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CERTIFICATE OF SERVICE

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of Los Angeles, over the age of 18 years, and not a party to or interested in the within action; that declarant's business address is 301 N. Lake Ave., Suite 920, Pasadena, CA 91101.

2. That on December 14, 2018, I electronically filed the foregoing with the Clerk of the Court for the United States Court for the Central District of California by using the CM/ECF system, which will send notification of such filing to the CM/ECF participants registered as counsel of record in this action.

3. That on December 14, 2018, I served by U.S. Mail true and correct copies of the foregoing to the following parties by placing said documents in envelopes addressed as shown below:

Hyundai Motor Company
12, Heolleung-ro
Seocho-gu
Seoul, 06797
Republic of Korea

Hyundai Motor America
c/o National Registered Agents, Inc.
818 West Seventh St., Suite 930
Los Angeles, CA 90017

Kia Motors Corporation
12, Heolleung-ro
Seocho-gu
Seoul, 06797
Republic of Korea

1 Kia Motors America, Inc.
2 c/o CT Corporation System
3 818 West Seventh St., Suite 930
4 Los Angeles, CA 90017

5 I declare under penalty of perjury, under the laws of the United States of
6 America, that the foregoing is true and correct.

7 Executed this 14th day of December, 2018 in Pasadena, California.

8 /s/ Christopher R. Pitoun

9 Christopher R. Pitoun